

## New Clouds Over Birmingham

The apparent collapse of the truce in Birmingham's conflict over Negro rights has tragic potentialities. The nation will hope that the goodwill among responsible elements in the city, which came so close to establishing a basis for racial harmony, will reassert itself without open conflict in the city's streets. As President Kennedy noted in his news conference, just two hours before the peace moves broke down, the excesses that have already occurred in Birmingham have seriously damaged the reputation of both the city and the United States.

The jailing of the Rev. Dr. Martin Luther King Jr. for "parading without a permit" put an impossible strain on the armistice that had been negotiated with the aid of White House mediators. The timing could only be interpreted as a new provocation to Negro leaders, made distrustful of "white justice" by the years of systematic abuse they have suffered at the hands of the lame-duck administration still clinging to authority in Birmingham.

Against this understandable sense of double-cross must be put the assurances the Negroes have received from Mayor-elect Boutwell and the city's business leaders that action will be taken to demolish the old exclusionist patterns. The President, in effect, stands as guarantor of their good faith. He has emphasized his own determination to use all his legal resources in support of civil rights in Birmingham and everywhere else. Restoration of the truce offers the most promising avenue toward achievement of constitutional principles and equality of opportunity.

MAY 9 1963

## Negro Girls Define 'Freedom' From Cell in Birmingham Jail

**'I Want to Go to Any Store,' One Says—  
12-Year-Old Reports Her Mother  
Told Her She Must 'Serve Time'**

By PHILIP BENJAMIN

Special to The New York Times

BIRMINGHAM, Ala., May 8 (The New York Times)—Anita Woods said today: "My mother told me I had to serve my time."

Anita is a 12-year-old Negro girl, one of the thousand or more juveniles arrested in this city on Monday for rioting against racial segregation.

She is at the Jefferson County Detention Home, along with about 110 other girls, none older than 13.

Anita Woods spoke with a reporter in a locked room she shares with 20 other Negro girls, all arrested for parading without a permit, a violation of Section 1159 of the General City Code.

The room was hot and steamy downstairs, the main corridor and offices of the detention home were badly air-conditioned.

"Do you want to go home?" the girls were asked.

"Yes," they chorused.

"But I'd do it again," Anita Woods said. "I'll keep on marching till I get freedom."

"What is freedom?" a reporter asked.

"It's equal rights," another girl shouted. "I want to go to any school and any store downtown and sit in the movies." She giggled. "And sit around in a cafeteria."

They were asked why their parents had not come to get them, since, in a change of policy, Juvenile Court Judge Talbot Ellis had decided to permit parents to call for their children in exchange for signing an appearance bond, instead of the \$500 cash bond that was previously required.

It was then that Anita Woods announced what her mother had told her.

Isaac G. Ottman, the chief probation officer of the juvenile court, a soft-spoken former Nebraska, said the detention home normally accommodated 62 youngsters. With the present population of 110 or so, it was like having guests drop in unexpectedly, he said. The home is doing its best to feed and

of course, it's not like home.

Some of the inmates slept in blankets on the floor, he said.

The youngest person arrested in the riots was a 7-year-old girl. She was picked up by her parents yesterday.

Boys between 13 and 18 were being held in the Jefferson County Jail and the Bessemer Jail. Girls from 13 to 18 were in the 4-H Club building at the State Fairgrounds. There were 284 girls there just after the arrests Monday. Only 200 were there today. Girls arrested last Monday outnumbered boys by almost two to one.

In the Jefferson County Court House, where the water fountains are segregated but the public telephones are not, Sheriff Melvin Bailey said the arrests had already strained his budget by several thousand dollars, what with extra food and extra shifts for wardens and matrons.

Upstairs in the county jail Chief Warden Herman Orchaugh showed a visitor around. In the block normally reserved for woman prisoners, 175 Negro boys stood, sat and sprawled behind heavy glass and steel.

Warden Orchaugh, a kind-faced man, said he would get the physician. Proudly he showed his visitor the prison kitchen and mess hall, where for breakfast the prisoners had

had hot dogs, soup and fried them, in a change of policy, hadologna and for lunch cabbage, peas, Juvenile Court Judge Talbot Ellis had decided to permit parents to call for their children in exchange for signing an appearance bond, instead of the \$500 cash bond that was previously required.

The Rev. Dr. Martin Luther King Jr. of Atlanta, who is leading the integration struggle here, was asked later today why the demonstrators had shifted in the past week from adults to mostly teenagers.

"We felt a new thrust would be a number of students," Dr. King said. "We met in several sessions with the students and talked about the need for their support. It was a city-wide mobilization of students for

# Alabama Truce Is Shaky

BIRMINGHAM, Ala., May 9 (UPI)—A shaky truce threatened to break down today before all factions could reach agreement on a plan to end the racial crisis which has resulted in violence and the arrest of 2,200 Negroes in this Deep South steel city.

A 70-man force of highway patrolmen, augmented

by approximately 400 plain-clothesmen carrying side arms, apparently was in control and able to enforce law and order.

## HOPEFUL

Dr. Martin Luther King Jr. and The Rev. Fred Shuttlesworth, two top colored leaders in the desegregation campaign, said they were hopeful a solution to five weeks of demonstrations could be found by 1 p. m. EDT.

A biracial committee met again last night but made no announcement of results.

The big problem in a settlement appeared to be among the colored leaders, sharply divided as to whether full-scale demonstrations should be resumed today.

The truce, after which all major demonstrations were called off yesterday while last-minute details of a permanent agreement were discussed, almost fell apart when Mr. King was lodged in jail for the second time in less than a month.

The Atlanta integration leader and The Rev. Ralph Abernathy, another top officer in Mr. King's organization, were sentenced to 150 days in jail and fined \$100, the maximum punishment for violation of an ordinance requiring a permit to parade.

Bond for Mr. King, Mr. Abernathy and R. V. Fulton, a white professor, was set at \$2500. For most of their 24 associates who got the same penalty, bond was only \$500.

When businessmen A. C. Gaston put up bond for Mr. King and Mr. Abernathy who returned to their motel and went immediately into long telephone conferences with associates on their next move.

## RELUCTANT

Birmingham's top business executives were exerting strong behind-the-scenes influence in bringing the racial dilemma toward an area of settlement. They were reluctant, however, to deal with local colored leaders and virtually adamant in refusing to negotiate with the threat of retaliation from Negroes hanging over them.

Sidney Shiver, prominent real estate dealer who spoke for white members of the biracial group, said Mr. King's statement on a truce would express the sentiments of the white side.

Mr. King's brother, A. D. King, touched off fears for losing the new jailings after yesterday's trials that the truce negotiated only hours before was all over.

"They have broken their faith," he said. "Plans are being made for the biggest racial demonstration this city has ever seen."

Mr. Shuttlesworth said a

## Played Up Abroad

Asian newspapers today prominently displayed stories of racial strife in Birmingham, Ala., but said little about it editorially.

Birmingham has been competing with the trouble in Haiti for top play in the foreign news pages of most papers in non-communist countries of Asia.

Newspapers and radio broadcasts in Asia's communist countries have carried reports on the Birmingham developments. But they, too, have had relatively little comment.

In Europe, the Communist press blamed the U. S. for the Birmingham troubles. The Moscow mouthpiece Pravda ran the story under the headline "Monstrous crimes among racists in the U. S."

The London Communist Daily Workers said the U. S. has "done nothing to protect" Negro civil rights. Newspapers in Italy, France and Sweden carried many stories and pictures on the "Battle of Birmingham."

"We are going to come up with something,"

Later, however, Mr. Shuttlesworth said in the presence of Justice Department official Joseph Dolan that the arrest of Mr. King "did not destroy our faith in the people we are dealing with. We hope it will spur merchants to reach a settlement by 11 o'clock Thursday."

Negroes were demanding an end to lunch counter segregation, appointment of a biracial committee that would fix a timetable on school integration, release of all racial prisoners without punishment and job upgrading for Negroes.

A colored spokesman said the major snag was the question of releasing more than 2,200 persons picked up for violation of the parade permit ordinance and for violation of an anti-demonstration injunction.

## FACETS OF STRIFE EMERGE IN COURT

Boy and Birmingham Judge  
Shed Light on Dispute

BIRMINGHAM, Ala., May 8 (AP)—Here, in a juvenile court judge's office, many sides of the Birmingham story emerged today.

Judge Talbot Ellis sat behind his desk. He has crisp gray hair, a clean-cut profile. He speaks in a low, kindly voice.

On the other side of the desk was a 15-year-old Negro boy, Grosbeck Freer Parham. He is big for his age. He was arrested five days ago for participating in the integration demonstrations here.

A sign in the desk bore the motto: "Prayer changes everything."

Behind Judge Talbot was the boy's mother, Mrs. Alice Parham.

The conversation among the three went like this:

Judge: Grosbeck, I'm going to let you go. Your mother must have been mighty worried when she couldn't find you. Why did you tell the officer you were 17? That's why they put you in jail instead of bringing you here.

Boy: I said I was 15.  
Judge: Well, anyway, I'm letting you go.

JUDGE: Now, Grosbeck, you know violence in the streets is not the answer to this. Just the other day, Attorney General Kennedy said this problem won't be solved in the streets. And I often think of what one of the founding fathers said: "There is no freedom without restraint." Now, I want you to go home and go back to school. Will you do that?

No Answer From Youth  
There was no answer. The boy stared at the judge, unblinking.

JUDGE: Are you mad at me, son?

BOY: Can I say something?

JUDGE: Anything you like.

BOY: Well, you can say that about freedom because you've got your freedom. The Constitution says we're all equal but Negroes aren't equal.

JUDGE: But you people have made great gains and they still are. It takes time.

BOY: We've been waiting over 100 years.

The judge told him about attending legal conferences, working there with Negro judges and attorneys.

JUDGE: Now, we were all equal there, not because the Constitution says so, but because we are equal in our profession.

NEW YORK TIMES

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MOTHER: May I say something? I don't approve of street violence either. But after a civil rights meeting we did try to get in touch with city officials and they wouldn't see us. And I know this, judge—these younger people are not going to take what we took. I have another son in Oberlin (College), and he'll never want to come back here.

Tells of Experiences

She described her experiences as a shopper in downtown Birmingham and said, "If I'm going to spend my money in the stores, I think I should have the right to sit down and eat a sandwich in them."

Judge: Mrs. Parham, what do you think of Booker T. Washington?

Mother: I think he was a fine man. But his day is past. The younger people won't take what we did.

Boy: Does Birmingham have a health board? Are they concerned about what happens to Negroes in jail?

The judge nodded affirmatively.

Boy: We were picked up at 2:30 and we didn't get anything to eat all day. The next morning we wouldn't have gotten anything either if we hadn't gotten together and beat on the bars and yelled.

A juvenile court officer asked, "Would your mother have had food for over 100 people if they had all come at once to your home?"

Boy: Maybe not. But you should have seen the shop they fed us. It wasn't fit for a human being to eat.

Judge: Well, I expect we could talk all day about these things. I want you to go now and I still hope you'll go back to school.

Mother: Thanks you, Judge.

Boy (under his breath): Thanks for nothing.

Other children were being released elsewhere.

Brenda Pettis, 15, was asked how she had become involved in the disturbances. "I just ran after the other kids," she said.

In another office, two probation officers, Henry Long and Darcus Haslip, both Negroes, were releasing John Arthur Bell, 11.

Children Left in Jail

Mr. Long said, "Some of the parents won't come for their children. They're leaving them here. Why? It's for the movement, I suppose."

Negroes here speak of "the movement" or "the organization."

Upstairs, in the cafeteria, the tables and chairs were a bright yellow and orange. The room was clean and cheerful.

Children came in carrying trays with ground beef and beans, turnip greens, sweet potatoes, corn bread, fruit pudding and iced tea.

At the fairgrounds, where older children were held, the food was similar.

Back in Judge Ellis's office, the judge said he was getting angry letters from cities around the country.

Some days ago he told a reporter he was setting bail for the Negro children at from \$500 to \$750.

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# 'Truce' Is Shaky

Continued on page A10, 10TH FL. CONTINUED

## Jailing of 27 Stirs New Confusion

Dr. King Is Given  
180 Days, Later  
Freed on Bond

By Al Kuettnr  
BIRMINGHAM, Ala., May 8 (UPI)—A shaky off-again, on-again "truce" in Birmingham's explosive racial battle apparently was salvaged tonight when desegregation leader Dr. Martin Luther King Jr. was freed from jail.

The truce was announced early this afternoon and was applauded by President Kennedy. But within a few hours after Chief Executive spoke, Dr. King was convicted and jailed on month-old charges of leading a segregation protest march.

His arrest caused confusion among other Negro leaders, some of whom said the turn

Legislative investigations link University of Mississippi riots with Kennedy political ambitions.

Page A10.

House hearings on civil rights legislation open, with testimony drawn from Birmingham situation.

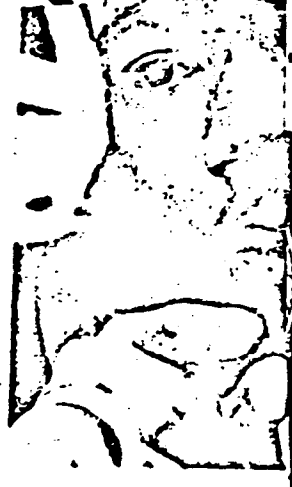
Page A15.

of events negated the earlier agreement with white leaders. But hardly had the jail doors slammed on Dr. King

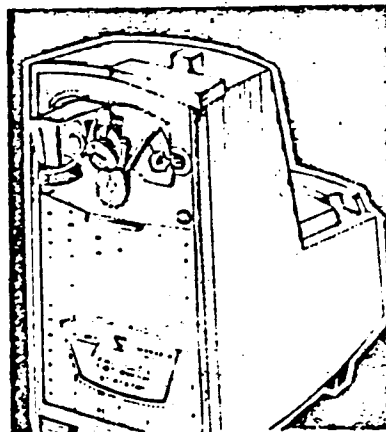
- PEOPLES HAS THOUSANDS OF

**GETS**

**T FREE-OF-CHARGE**



The Rev. Martin Luther King  
halt of the Birmingham march



before it was announced that he and an aide, the Rev. Ralph Abernethy, had been released on bonds of \$250 each.

One of those who reacted angrily to the jailing of Dr. King was his brother, the Rev. A. D. King.

"This little jailings makes it obvious," A. D. King said. "City officials are not willing to cooperate. The negotiations are off and plans are being made for the biggest mass demonstration this city has ever seen."

**Other Leader Differs**

But the Rev. Fred Shuttlesworth, leader of the Birmingham desegregation campaign, took a calmer view.

He said the jailing of Dr. King "has not weakened our faith in the process we are dealing with."

The new crisis flared up when Dr. King announced the mass march and racial protests which have brought the arrest of 2200 Negroes. This story was sent to you. See ALABAMA AIL, Col. 1.



the Rev. Martin Luther King Jr. when announcing the death of the Birmingham pastor, he directly before his arrival

on a charge of parading  
without a permit.

The charge stemmed from a protest march he led on Capitol Hill.

Dr. King and his 36 associates got the maximum sentence—180 days in jail and a \$100 fine. Bond for most of those convicted was set at \$500, but City Judge C. Brown specified a bond of \$2500 for Dr. King, R. V. Sullivan and the Rev. Ralph

Not only some leaders, many of the rank and file demonstrators were said to be gay over the conviction. Meetings were hastily called.

Just as the true amount of money had brought an im-

Mr. Shultsworth, who

Mr. Joyce this latest afternoon.

dent will spur the merchants to such a settlement by "a million tomorrow" -

their decreasing demands are met

Address: 112 a collection of  
the 16th Street Baptist Church  
which has been a collection

"We know it is enough that yesterday told them what we know now that if we kick again we'll have the whole town kicking."

something to do. We know we are going to come up with something a thousand times will demonstrate and be on a more substantial, to give the correct data and everything.

He told the boys about the strategy they were using and cracked an adding machine, you say, cracked it until some one

The Rev. Andrea Young, one of the pastors active on the "beat" circuit during the time period, says the evidence is

We have not about eleven hundred of them in the whole of these folks," he said.

don't care in any respect and don't go down town. All you do is the gathering. If you are talking on the job ask about another group of an

or they will be disappointed.

Quarter of the 18th century

"So long as our children are in jail the war is on and until they are out we will not hear any, nothing at all."

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WASHINGTON POST-TIME HERALD

'Much to Be Settled' in Birmingham

# Kennedy's Earlier Hopes Dashed

By Carroll Kilpatrick

Staff Reporter

President Kennedy told his press conference yesterday when it appeared that a truce had been reached in Birmingham, that he was "glad" by efforts of white and Negro citizens in the Alabama industrial city to end an ugly situation there.

A few hours later the truce was put in doubt by the jailing of Dr. Martin Luther King Jr., the Negro integration leader. There was no comment at the White House on the new development. Later in the evening Dr. King was released on bond.

Word reached the White House shortly before 4:40 p. m. that a conference that steps had been taken toward a settlement in Birmingham and that a 24-hour truce had been declared.

This made it possible for the President to report at his news conference on the progress made and to commend

Birmingham citizens on their efforts. However, he emphasized that "much remains to be settled before the situation can be termed satisfactory."

At the news conference, the President emphasized that the way to prevent future disturbances of a similar kind is to provide "equal treatment to all our citizens."

"In a prepared statement," the President said, "I can hope

President Kennedy's family  
less of the race and each  
other here. Page A3

that tensions will ease and that this case history, which has so far only narrowly avoided widespread violence and fatalities, will remind every state, every community and every citizen how urgent it is that all bars to equal opportunity and treatment be removed as promptly as possible."

When a reporter asked the President what he would do

to prevent a clash in Huntsville, Ala. next month when two Negro graduate students are expected to apply for admission to the Huntsville branch of the University of Alabama, the President did not disclose his plans.

However, he emphasized that the way to prevent a conflict would be to carry out the law. He called on all in authority to meet their responsibilities.

The University application would involve the Federal Government, the President said, whereas the Birmingham situation does not, since no Federal statute has been violated.

Alabama Gov. George C. Wallace has served notice he will personally bar Negro applicants from entering the State University, which is located at Tuscaloosa but operates a branch at Huntsville headquarters of the George C. Marshall Space Flight Center. When a reporter asked

whether a fireside chat on improving race relations might be helpful, the President said "it might," but he noted that his speech last year on the night of the rioting at the University of Mississippi "did not seem to do much good."

"But this does not mean we should not keep on trying," the President added.

He emphasized that he had attempted repeatedly to make clear "my strong view that there is an important moral issue involved in equality for all of our citizens."

"And until you give it to them you are going to have difficulties, as we have had this week in Birmingham."

Although the Federal Government has been deeply involved in trying to reach a Birmingham settlement, the White House and Justice Department recognized from the beginning that there were extreme limitations on the President's power to act.

The President and the Attorney General have been unhappy with both white and Negro leadership in Birmingham. They thought the timing of the demonstrations unfortunate in view of the fact that a moderate city administration was about to take over from a strongly segregationist one. And they were highly critical of the police.

But the President in his press conference declined to pass judgment except to displace what he called "the violence which is so serious a danger to Birmingham and the country."

The White House has been guided in the crisis largely by advice from Assistant Attorney General Burke Marshall on the scene. He was responsible for bringing white and Negro leaders together in a conference.

The President commended the business community for responding in a "constructive" way to Marshall's overtures, and he urged Negro and white leaders in the city "to continue their constructive and cooperative efforts."



Mr. Kennedy said the violence should remind every citizen "how urgent it is that all bars to equal opportunity and treatment be removed as promptly as possible."

# Rights Hearings Open, Alabama Trouble Cited

By Richard L. Lyons

Staff Reporter

House hearings on civil rights legislation opened at the Capitol yesterday, with most of the testimony drawn from the streets of Birmingham, Ala.

Civil rights backers from both parties cited police action against Negro protest demonstrations in Birmingham and against earlier efforts to register to vote in Greenwood, Miss., as the best proof of the need for more legislation to protect the rights of all citizens.

Rep. Emanuel Celler (D-N. Y.), chairman of the House Judiciary Committee, called it "barbaric" for Birmingham police to use fire hoses and police dogs and to jail hundreds of Negroes of all ages for marching in protest against segregation.

Sen. Kenneth B. Keating (R-N. Y.), testifying before Celler's Civil Rights Subcommittee, said there is a "glaring gap in the legal arsenal of the Federal Government" if it cannot go into court to protect Birmingham Negroes from being "set upon by dogs doused with water hoses and subjected to mass arrests."

**Progress Cited**

Rep. William M. McCulloch (R-Ohio), senior Republican on the Judiciary Committee, said that while "great progress" has been made, continuing tension and resistance in both North and South is obvious.

"But turmoil is a sign of birth as well as decay," said McCulloch. "I am convinced that if the people of the country will continue to pursue a moderate but ever forward-moving program for the insurance of individual equality, the day will soon come when we'll wonder why all the tumult and the shouting had to happen."

Celler and McCulloch said they believe a civil rights bill can pass the House this session, probably somewhat along the lines proposed by President Kennedy.

This would extend the life of the Civil Rights Commission, outlaw discriminatory use of literacy tests as a voting requirement and provide Federal referees to speed registration of qualified Negro voters.

Though far less than many civil rights advocates want, this would be a sizable chunk of legislation, more than the Senate has been willing to accept. The Senate rejected the literacy test bill last year. Traditionally, the House has been more willing to pass tough civil rights legislation.

**Blanket Provision**

Civil rights groups would like to enact a blanket provision empowering the Federal Government to initiate court suits to protect all civil rights. This was the Part III of the 1957 act, which was cut out by the Senate except in voting cases. It would have permitted the Justice Department

to start school desegregation suits and to move quickly and directly wherever it believed rights were being violated. A Republican group, including McCulloch, has proposed enactment now of such a provision limited to school suits but has little hope that it will pass.

One reason Celler and McCulloch are optimistic of House action is that civil rights bills have been introduced by 80 House members, 42 of them Republicans. This is an unusually large number and gives hope of winning Republican help to move a bill through the Rules Committee to the House floor.

Yesterday's hearing was limited to testimony from members of Congress. Next week the subcommittee will hear from Justice Department and other Government officials. Then it will hear outside witnesses for and against legislation.

# TRUCE IMPERILED AS BIRMINGHAM CONVICTS DR. KING



DISCUSSING HOPES FOR PEACE: The Rev. Dr. Martin Luther King Jr., left, the Rev. Fred L. Shuttlesworth, center, and Rev. Ralph Abernathy, campaigners against segregation, at news conference yesterday in Birmingham.

## KENNEDY REACTS

Early Report of Peace  
Leads Him to Hail  
Racial Conferees

Transcript of News Conference  
and Summary, Page 16

By JOHN D. POMERET

WASHINGTON, May 4  
President Kennedy said today  
that business leaders in Bir-

"While much remains to be settled before the situation can be termed satisfactory," the President said, "we can hope that tensions will ease and that this case history, which has so far narrowly avoided widespread violence and fatalities, will remind every state, every community and every citizen how urgent it is that all bars to equal opportunity and treatment be removed as promptly as possible."

### Violence Is Feared

President Kennedy and other Administration leaders have been deeply concerned that the situation in Birmingham might explode into bloody violence.

The temperate tone of Mr. Kennedy's opening statement and his answers to seven questions about the situation reflected his determination to say nothing that might endanger the developing accord between white and Negro leaders in the Alabama city.

The situation in negotiations between leaders on both sides was thought by officials here to be much better than 24 hours ago, but still very delicate.

Burke Marshall, Assistant Attorney General in charge of the Civil Rights Division of the Justice Department, has been in Birmingham working for a settlement almost around the clock. He has been in frequent touch with Attorney General Robert F. Kennedy, who has kept his brother, the President, informed.

Mr. Marshall has played a

(Continued on Page 17, Column 1)

attempts to begin to meet "the  
demands of the Negro  
Community."

The President indicated at his  
news conference that he hoped  
the immediate controversy over  
Negro rights in the Alabama  
steel-making center would be  
peacefully settled within 24  
hours. [Opening statement,  
Page 18.]

Within an hour after the news  
conference, however, serious  
doubts about a settlement were  
raised by the conviction and  
jailing in Birmingham of the  
Rev. Dr. Martin Luther King Jr.  
and 26 other integrationists.

In addition to the pledge by  
business leaders, the President  
cited the earlier suspension of  
demonstrations by Negro lead-  
ers and the desire indicated by  
Albert Boutwell, newly elected  
Mayor of Birmingham, to re-  
solve the city's problems of ra-  
cial conflict.

# President Hails Reports of Accord Between Ne

## HE VOICES HOPES ON EASED TENSION

Gives Views at His Press  
Conference Before Court  
Sends Dr. King to Jail

Continued From Page 1, Column 1



ALABAMA STATE POLICE IN BIRMINGHAM. (AP Wirephoto)

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## roes and Whites in Birmingham Crisis

spectacle and twice stirred the reputations both of Birmingham and the nation. He declined, however, to comment on the techniques used by both sides. "I think what we are interested in now is seeing the situation peacefully settled in the next 12-24 hours," he said. "I think all of our statements should be devoted to that end."

Mr. Kennedy would not say what the "substantial steps" were that white business leaders had pledged. Negro leaders have sought desegregation of downtown public facilities, for example, of a bi-racial committee to solve racial problems, better job opportunities for Negroes and the dropping of charges against the arrested demonstrators.

On the question of racial equality generally, the President declared that there is no strong view that "there is an important moral issue involved of equality for all of our citizens."

"And until you give it to them, you are going to have difficulties as we have had this week in Birmingham," the President said. "The time to give it to them is before the disasters come and not afterwards."

The Birmingham situation was cited at a Congressional hearing today as proof of the need for stronger Federal civil rights legislation.

Representative Emanuel Celler, Democrat of Brooklyn, called the actions of the Birmingham police trying to quell Negro demonstrators "barbaric" and called for quick passage of civil rights legislation.

Mr. Celler is chairman of a House Judiciary subcommittee that began hearings today on proposals.

Representative John V. Lindsay, Republican of New York, said the demonstrations indicated "the depth of despair over the American failure to deliver on the American promise."

5/9/63

# Truce at Birmingham Continues in Effect

## Settlement Hope Voiced By Negroes

BIRMINGHAM, Ala., May 9 (AP)—Negro leaders have announced a 24-hour truce in Birmingham and voiced hope that a settlement of racial differences might be reached soon.

The moratorium on protest marches by hundreds of Negroes

Partial Text of Kennedy Press Conference Page A-5

ends today at noon, Eastern Standard Time.

The city may know then whether the month-long desegregation demonstrations finally have come to an end.

The truce almost collapsed a few hours after it started yesterday when two of the demonstrators' leaders were jailed briefly, but it weathered that crisis.

### Police Reinforced

Negro leaders announced the 24-hour truce yesterday as heavily reinforced police patrolled the streets, quiet in sharp contrast to the crowd scenes of recent days.

The word came shortly before President said he was gratified by progress in what he described as "an ugly situation."

Alabama Gov. George Wallace called the President's remarks "unjust and unfair" and said the demonstrations had been carried on by "lawless mobs in conflict with lawfully constituted authority." Gov. Wallace said he would have no part in conferences "to compromise on the bases of integration."

### Justice Aides at Work

Along with a biracial committee, two aides of Attorney General Robert F. Kennedy have been working behind the scenes to bring both sides together. The No. 1 negotiator is Assistant Attorney General Burke Marshall.

There was no indication of what actually brought the truce.

It was a quiet lull in an explosive situation in which more than 2,400 Negroes have been arrested since the protest demonstrations began April 3. More than 2,000—most of them teenagers—were arrested in the last week after the demonstrations expanded.

Goals of the Negro movement are desegregation of downtown lunch counters, restrooms and other public facilities; better job opportunities for Negroes; formation of a biracial committee with authority to solve racial problems; and demand of charges against all demonstrators who were jailed.

### Watched for Violations

Mr. Kennedy, in his comments on Birmingham, made clear his belief that the demonstrations stemmed from "the very real abuses too long inflicted on the Negro citizens of that community."

The President said the Justice Department has been "watching the present controversy to detect any violation of the Federal civil rights or other statutes."

But he continued, there have been no Federal violations and so "our efforts have been focused on getting both sides together to settle the problems in a peaceful fashion."

Mr. Kennedy said Mr. Marshall "has made every possible

See RACIAL, Page A-6

## RACIAL

## Hopes Rise for Final Birmingham Accord

Continued From Page A-1  
effort to halt a spectacle which so seriously damages the reputation of both Birmingham and the country."

"Today, as the result of responsible efforts on the part of both white and Negro leaders over the last 72 hours," Mr. Kennedy said, "the business community of Birmingham has responded in a constructive and commendable fashion and pledged that substantial steps would begin to meet the justifiable needs of the Negro community."

### Other Countries' Reaction

There were reactions to the Birmingham situation in other countries as well as in many parts of the United States.

The Soviet government news agency Tass described the Birmingham racial situation as "part and parcel of the

American way of life," adding: "The cruel police actions in Birmingham again draw attention to arbitrariness and lawlessness, which are broadly practiced in the United States."

In Birmingham, England, about 150 persons demonstrated last night in behalf of Negroes in Birmingham, Ala. They rallied at a statue of Queen Victoria in the city center, singing "We Shall Overcome," some of Negroes protesting segregation.

In Nashville, Tenn., hundreds of Negro students skipped school and staged a massive all-day protest in downtown Nashville against segregation and in support of the Birmingham demonstrations.

### Five in New York

In New York, there were five demonstrations. In one, an estimated 1,500 white and

Negro pickets marched outside City Hall protesting segregation in Birmingham.

In Washington, Senator Harrison A. Williams, Democrat of New Jersey, introduced a bill to empower the Attorney General to seek injunctions against any actions that deprive a person of his constitutional rights. He expressed concern about the Birmingham situation.

The Women Strike for Peace organization in Washington sent \$275 to the wife of the Rev. Dr. Martin Luther King, Jr. Mrs. King is a member of the organization.

A group of 19 rabbis and two college chaplains visited Negroes at a mass meeting in Birmingham. The chaplains, William Coffin of Yale University and John Eusden of Williams College, said students from Yale and several other schools were ready to take part in the Birmingham demonstrations if requested.

About 1,800 B'nai B'rith delegates attending a convention at Kiamisha Lake, N. V., called on President Kennedy to protect the rights of Negroes in Birmingham.

#### Truce Falters

The truce in Birmingham faltered yesterday when Dr. King and the Rev. Ralph Abernathy, two Negro leaders, were convicted and jailed for parading without a permit.

The two had been arrested on Good Friday while leading a protest march.

They and 34 other demonstrators were given maximum sentences of 180 days and \$100 fines.

Before the conviction, Dr. King told a news conference:

"We are hopeful that the possibility looms that we may be able to make some sort of settlement within the next 24 hours. We are very near a settlement."

As news of the convictions spread, some Negro leaders said they felt the city had broken faith. They said the truce would be called off.

But other leaders said it would stand. Dr. King himself stepped out of jail three hours later on \$2,500 bond and said he hoped the truce would not be broken. Mr. Abernathy also was freed on bond.

Dr. King and Mr. Abernathy were jailed because they were unable to post the \$2,500 appeal bonds immediately. Later, a wealthy Birmingham Negro, A. G. Gaston, posted bonds and the men were released. Mr. Gaston, who owns several office buildings and the motel which Dr. King and Mr. Abernathy use as general headquarters, said he wanted to be helpful in keeping the truce in force. But there were murmurings.

#### Insist on Demands

"There will be demonstrations until our demands are met," the Rev. James Bevel of Cleveland, Miss., told one of the regular mass meetings at a Negro church. He called on parents to hold their children available for possible further demonstrations.

In recent days, demonstrations have meant seething crowds, harried police and firemen, high-velocity fire hoses, police dogs and wholesale arrests—but no conflict between white spectators and Negroes.

Working quietly in the background in efforts to reach agreement is a biracial committee of some of the city's most prominent business, religious and professional leaders. Its members are not identified. It makes no announcements, and it works without the sanction of the city of Birmingham.

There was no immediate reaction from city officials to the truce or to the President's comments. The Governor, however, said:

"The matter of law enforcement must and shall be left in the hands of constituted authority of the city of Birmingham and the State of Alabama, and upon this we shall insist and demand."



Negro integration leaders tell a news conference in Birmingham that they were suspending racial demonstrations. From left, the Rev. Martin Luther King, Jr., the Rev. Fred Shuttlesworth, and the Rev. Ralph Abernathy.—AP Wirephoto.



5/9/63

## Policeman Shot Accidentally In Birmingham

BIRMINGHAM, Ala., May 9 (AP).—A policeman was accidentally shot in the arm by a fellow officer yesterday as they sought to halt a car containing three Negroes.

Police officials said the incident in the heart of the downtown business district had nothing to do with racial demonstrations. They said it involved a stolen car investigation.

The wounded officer, J. B. Morrison, was taken to a hospital. He suffered a slight flesh wound in the left arm.

Police Inspector W. J. Haley said Mr. Morrison and a motorcycle policeman, W. C. Walker, halted the car containing two Negro men and a woman.

One of the men was removed from the car. Inspector Haley said the driver then sped off. Mr. Walker fired a shot at the tire and the bullet ricocheted from the tire or the pavement and struck Mr. Morrison.

The driver of the car was captured later.

WASHINGTON POST-TIMES HERALD

5/9/63

## History Recalled As Bill Passes

*Associated Press*

On the eve of John Brown's for his 1859 raid on the Federal arsenal at Harpers Ferry, the House Interior Committee yesterday approved a bill to change the name of Harpers Ferry National Monument in West Virginia to Harpers Ferry National Park.

Brown was born May 9, 1800, at Torrington, Conn.

As the Committee recalled the history of Harpers Ferry, Rep. James A. Haley (D-Fla.)

Rep. John Kyl (R-Iowa) observed that "Stonewall Jackson took you Yankees twice there." The Senate already has passed the bill.

# 'Truce' in Birmingham Shaken by New Jailing

## Dr. King Freed After Sentence To 180 Days

By Al Kuettnr

BIRMINGHAM, Ala., May 8 (UPI)—A shaky off-again, on-again "truce" in Birmingham's explosive racial battle apparently was salvaged tonight when desegregation leader Dr. Martin Luther King Jr. was freed from jail.

The truce was announced early this afternoon and was applauded by President Kennedy. But within a few hours after the Chief Executive spoke, Dr. King was convicted and jailed on month-old charges of leading a segregation protest march.

His arrest caused confusion among other Negro leaders, some of whom said the turn

One of those who reacted angrily to the jailing of Dr. King was his brother, the Rev. A. D. King.

"This (the jailing) makes it obvious," A. D. King said. "City officials are not willing to cooperate. The negotiations are off and plans are being made for the biggest mass demonstration this city has ever seen."

### Other Leader Differs

But the Rev. Fred Shuttlesworth, leader of the Birmingham desegregation campaign, took a calmer view.

He said the jailing of Dr. King "does not destroy our faith in the people we are dealing with."

The new crisis flared up when Dr. King, mastermind of the massive month-long racial protests which have brought the arrests of 2200 Negroes in this steel city, was sent to jail.

See ALABAMA A11, Col. 1

Legislative investigations link University of Mississippi riots with Kennedy political ambitions.

Page A10.

House hearings on civil rights legislation open, with testimony drawn from Birmingham situation.

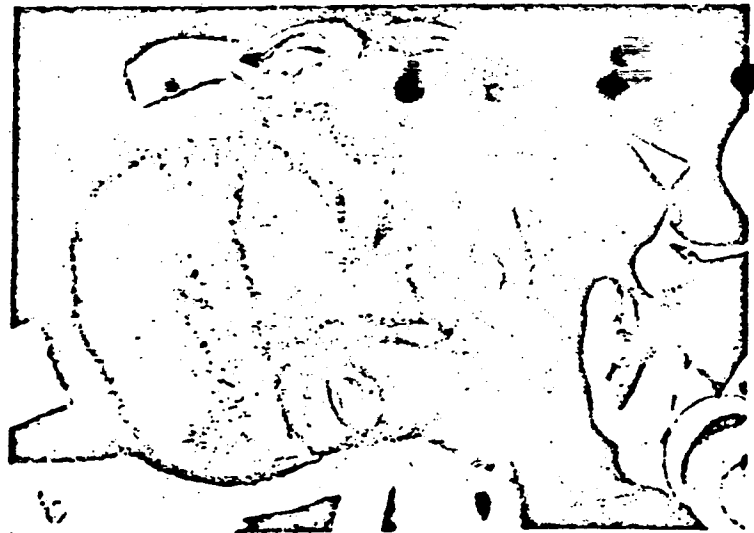
Page A15.

of events negated the earlier agreement with white leaders.

But hardly had the jail doors slammed on Dr. King before it was announced that he and an aide, the Rev. Ralph Abernethy, had been released on bonds of \$2500 each.

ALABAMA—From Page A1

## Birmingham's Racial 'Truce' Is Shaken by New Jailings



The Rev. Martin Luther King is shown announcing the halt of the Birmingham marches shortly before his arrest.

on a charge of parading without a permit.

The charge stemmed from a protest march he led on Good Friday.

Dr. King and his 26 associates got the maximum sentence—180 days in jail and \$100 fine. Bond for most of those convicted was set at \$500, but City Judge C. H. Brown specified a bond of \$2500 for Dr. King, R. V. Fulton and the Rev. Ralph Abernethy.

Not only some leaders, but many of the rank-and-file demonstrators were said to be angry over the conviction.

Meetings were hastily summoned to plan the next moves, and the leaders indicated they would let the situation simmer at least until Thursday.

Just as the truce announced had brought an immediate easing of tensions, the jailing of Dr. King brought bitterness and some confusion among the Negro leadership.

Mr. Shuttleworth, who along with Dr. King originally announced the truce, indicated he still held hopes the agreement could be salvaged with this comment:

"We hope this latest incident will spur the merchants to reach a settlement by 11 p. m. EDT tomorrow."

Earlier, the Negro leaders had said they felt a settlement they would go to see that walk and another group or an

might come within the next 24 hours.

They did not explain what the "settlement" would include, but did say they were sticking to their original four demands. These included:

(1) Better employment opportunities for Negroes; (2) Desegregation of downtown lunch counters; (3) Release of jailed Negro demonstrators;

(4) Creation of a permanent biracial committee to deal with the city's desegregation problems.

Tension in the city had reached powder-keg proportions in advance of the agreement.

Hundreds of black-helmeted State highway patrolmen, ordered into the city by Alabama Gov. George C. Wallace, formed a human barricade between the white and Negro populations, and the Negro population was standing by tensely awaiting orders from their leaders.

On two occasions yesterday the Negroes overwhelmed looting, and the police officers by sheer kept "Christian."

"We have just about demonstrated that you can love the hell out of these folks," he said.

"Don't walk in large groups and don't go down town," Mr. Young told the gathering. "If you are walking on the sidewalk and another group or an

individual comes toward you, get off the sidewalk if that is necessary."

Addressing a gathering at the 16th Street Baptist Church, which has been a rallying point for the demonstrations—Shuttleworth said:

"We kicked up enough dust yesterday to let them (whites) know that if we kick again, we'll have the whole town rocking."

"If they (the negotiation committee) can't come up with something tonight, we know we are going to come up with something tomorrow . . . we will demonstrate and keep on demonstrating despite fire hoses, dogs and everything else until we get freedom."

He told the poised demonstrators they were the "cocked gun," adding, "You stay cocked until something happens."

The Rev. Andrew Young gave the Negroes instructions on how they should act during the truce period, urging that everything be kept "Christian."

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NEW YORK TIMES

## NEGROES ANGRY

### See a Breach of Faith After Calling Off Mass Protests

By CLAUDE SITTON

Special to The New York Times

BIRMINGHAM, Ala., May 8

A tentative agreement on major issues in this city's racial crisis appeared late today to have collapsed after the Rev. Dr. Martin Luther King Jr. had been returned to jail.

The leader of the five-week-long integration drive here was imprisoned when he refused to post a \$2,500 appeal bond following his conviction in Recorder's Court on a charge of parading without a permit. He was sentenced to 180 days in jail and a \$300 fine.

The Rev. Ralph D. Abernathy, Dr. King's chief assistant, and the Rev. Robert Fulton, a white professor of religion at Miles College here, were convicted on the same charge and went to jail with the integration leader.

#### Were Free on Bond

Before the trials, the three men had been free on \$300 bonds.

"We can only interpret this as an act of bad faith," asserted the Rev. Wyatt Tee Walker, executive assistant to Dr. King. "If necessary, we will pull out all the stops tomorrow."

Mr. Walker said this threat to resume mass demonstrations was made with the authorization of the Rev. Fred Shuttlesworth, head of the Alabama Christian Movement for Human Rights. This organization, along with Dr. King's Southern Christian Leadership Conference, has spearheaded the desegregation campaign here.

Mr. Walker was asked if

Continued on Page 17, Column 3

## TRUCE IMPERILED AT BIRMINGHAM

Continued From Page 1, Col. 2

the increase in the bond definitely meant that a tentative agreement reached earlier in the day with white business and civic leaders no longer held.

#### 'Breach of Faith' Seen

"It seems apparent that there has been some breach of faith on the other side," he replied.

Even before Dr. King's return to jail, both white and Negro leaders showed only guarded confidence that remaining differences would be ironed out and that the threat of widespread violence thus would be eased.

None seemed to know if the white leaders who promised concessions on Negro demands for desegregation of lunch counters and other issues could win even tacit approval of city and state officials.

The Negro leaders had first said that they would stage limited demonstrations today but later called even these off.

"It's too hot," said one aide to Dr. King. "We couldn't have controlled this crowd."

More than 1,000 Negroes milled in front of the 16th Street Baptist Church, departure point for previous mass protest marches, and across the street in Kelly Ingram Park.

Inside the church, the Rev. James Bevel declared that despite reports of the truce, "if they arrest 10 more, the war is on again."

Idlers on the sidewalks in the Negro business district appeared to be in a sullen mood. Hundreds of them pelted the police and firemen with rocks, bottles and bricks yesterday in a riot that lasted for more than an hour. It followed two mass demonstrations in which more than 1,000 Negroes surged through the heart of the white business section.

Approximately 1,000 policemen, firemen, state highway patrolmen, sheriff's deputies and auxiliary sheriff's possees enforced an uneasy peace throughout the city.

As a result of the new developments in the prospect of resumed demonstrations tomorrow, the question of the imposition of martial law arose again.

Sheriff Melvin Bailey of Jefferson County, which includes Birmingham, was reported to have told a group of 70 business and civic leaders yesterday that unless a settlement was reached the alternative was martial law.

could not be deferred for more than 30 to 60 days with a firm commitment that it would take place within that period. It was understood that the merchants had made some concessions to

MAY 9 1963

He told them that local law enforcement facilities had been extended almost to the breaking point.

The attitude of Gov. George C. Wallace was made plain in a statement issued late today by his office in Montgomery. He praised the work of Eugene Connor, the Birmingham City Commissioner, and also the behavior of the city's white residents.

"I know of no meeting with businessmen and Negro leaders," the Governor said. "There may be a meeting, but I as Governor have no part in any such meeting and will not be party to any such meeting to compromise on the issue of segregation."

#### Agreement Reporters

The falling of Dr. King and Mr. Abernathy came as both white and Negro spokesmen were telling reporters that an agreement on the major points at issue in the civil rights struggle here had been reached.

The principal remaining difference seemed to be which side was to take the initiative in announcing the agreement.

At an early afternoon news conference, Dr. King said he expected a settlement announcement within about 24 hours. That was about three hours before he was sent back to jail.

Negro spokesmen said they considered the release of arrested persons on substituted bonds, in place of the heavy cash bonds required previously, an act of "good faith" on the part of the city.

#### Editor Lays Progress

James Mills, editor of The Birmingham Post-Herald, said that the constructive developments he had predicted yesterday had come today, namely the cessation of mass demonstrations.

Both sides reported privately that negotiators who have been working into the early hours of the morning during the past few days, had reached agreement on the formation of an official bi-racial committee, one of the principal demands.

Informal sources said that under terms of the agreement the committee was to be set up within fifteen days.

Business leaders were also slated to have guaranteed to upgrade Negro employees and open up new job opportunities for Negroes. Both industrial concerns and downtown stores were to be participants in this part of the agreement.

Downtown merchants were ready to agree to desegregation of lunch counters "over a period of time," one source said.

The lunch counter desegregation has been a key goal of Negro demonstrators here. The time-table for such desegregation has been a principal stumbling block in the negotiations.

The merchants were understood initially not to have wanted to desegregate their cafeterias until September, hoping that public school integration would occur before that.

The Negro position was that desegregation of lunch counters

It was not immediately apparent, however, whether any of the gains made by the negotiators could be salvaged in the wake of Dr. King's return to jail.

The negotiations here have been unusually lucky because of the large number of parties involved.

The negotiating teams themselves for both sides have been small, numbering five or six. On the white side, Sidney Snyder Sr., a prominent real estate dealer, and David Vann, a young attorney active in Democratic politics, have been the principal negotiators for the business community.

The Negro negotiators have included Dr. L. H. Pitts, president of Miles College; A. G. Gaston and John J. Drew, both businessmen; Arthur D. Shores, an attorney; and Mr. Shuttlesworth.

Each of these groups has consistently had to check out its progress with larger bodies on both sides of the dispute.

After virtually an all-night negotiating session, the business negotiators met with a group of 75 community leaders to put acceptance for the agreement.

After another long negotiating session last night, the Negro team presented the results of its work this morning first to its local organizers, of the demonstrations, and then to Dr. King and his aides for approval.

Burke Marshall, Assistant United States Attorney General for Civil Rights, played a key role in the negotiations, as a mediator. Mr. Marshall said he had not presented his own proposal, but had helped to develop a creative dialogue between the major parties.

Attorney General Robert F. Kennedy was said to have called Dr. King at least twice today to urge settlement of the dispute.

Businessmen also indicated there had been expressions from Washington on behalf of a settlement on their side, one source said.

He indicated, however, that there had not been an offer from the part of the Federal Government to dictate the terms of the settlement.

# RIOTING NEGROES ROUTED BY POLICE AT BIRMINGHAM

3,000 Demonstrators Crash  
Lines—Highway Patrol  
Is Sent Into the City

CROWD THROWS STONES

N.A.A.C.P. Calls for Protest  
by Pickets Across U.S.—  
Shuttlesworth Is Injured

Text of Birmingham paper's  
letter is on Page 29

By CLAUDE SITTON

Special to The New York Times

BIRMINGHAM, Ala., May 7

The police and firemen drove  
hundreds of rioting Negroes off  
the streets today with high-  
pressure hoses and an armored  
car.

The riot broke out after from  
2,500 to 3,000 persons rampaged  
through the business district in  
two demonstrations and were  
driven back.

The Negroes rained rocks,  
bottles and brickbats on the  
law-enforcement officials as the  
were slowly forced backward  
by the streams of water. The  
pressure was so high that the  
water skinned bark off trees in  
park and along sidewalks.

Highway Patrol Called

Police from surrounding  
cities and members of the Ala-  
bama Highway Patrol rushed  
to a nine-block area near the  
main business district to help  
quell the riot.

NEW YORK TIMES

MAY 7 1963

An undetermined number of  
persons were injured in the  
demonstrations against segre-  
gation. They included the Rev.  
Fred L. Shuttlesworth, a promi-  
nent Negro leader, and two city  
policemen and a Jefferson Coun-  
ty deputy sheriff.

[In New York, the Na-  
tional Association for the  
Advancement of Colored Peo-  
ple called for "peaceful sym-  
pathy picketing" around the  
country to protest the action  
of the Birmingham authori-  
ties. Most of the demonstra-  
tions in 100 cities were ex-  
pected to be held Saturday.

[And in Greenfield Park,  
N. Y., a group of Conservative  
rabbi prepared to leave for  
Birmingham in a "testimony  
in behalf of the human rights  
and dignity" of Negroes  
there.]

Appeals to President

Clarence B. Hanson Jr., pub-  
lisher of The Birmingham News,  
the city's afternoon daily, ap-  
pealed today in a telegram to  
President Kennedy to persuade  
Negro leaders to halt the dem-  
onstrations. The text of the tele-  
gram was carried on the front  
page of the newspaper.

In the demonstrations today,  
only 28 persons, including four  
juveniles, were arrested, as com-  
pared with some 1,000 yesterday.  
The police apparently wanted to  
avoid further arrests. Sheriff  
Melvin Bailey conceded that,  
from the standpoint of prison  
space, "we've got a problem."

Gov. George C. Wallace or-  
dered 250 highway patrolmen to  
this Southern steel center, which  
has been torn by racial strife  
for five weeks. Some of the pa-  
trolmen have been trained in  
controlling riots.

Brig. Gen. Henry V. Graham  
of the Alabama National Guard  
arrived here after the situation

Continued on Page 28, Column 1

was under control. He ordered the State Adjutant General under former Gov. John Patterson and enforced martial law in Montgomery, the state capital, in the freedom rider riots of 1955.

It could not be known immediately whether his presence directed that Governor Wallace focus on the use of the National Guard here.

In Montgomery, Governor Wallace addressed the opening session of the state legislature. He promised to "take whatever action I am called upon to take" to preserve law and order.

"I am beginning to tire of agitators, integrationists, and others who seek to destroy law and order in Alabama," he said.

The Rev. Dr. Martin Luther King Jr. called the reluctance of the police to arrest Negroes a victory. The Atlanta minister, president of the Southern Christian Leadership Conference, is leading the integration campaign.

Dr. King and his lieutenants appeared to have little control of the demonstrations, which were joined by hundreds of bystanders. One conference official accused leaders of the Student Nonviolent Coordinating Committee, an Atlanta-based integration group, of "whipping up" the emotions of the many teenage participants.

#### U. S. Aide Talks to Whites

Burke Marshall, chief of the Justice Department's Civil Rights Division, met privately at the Chamber of Commerce building with 65 white business, professional and civil leaders from Birmingham and Jefferson County. It was understood that they were negotiating by telephone with Negro leaders in an attempt to reach an agreement that would bring a truce.

However, the success of their efforts was in doubt because of the legal wrangle over the control of the city government. A mayor-council system of government was approved last March by city residents, but the three city commissioners have declined to relinquish their posts, contending that the election was illegal.

Eugene Connor, Commissioner of Public Safety, Health, Education and Welfare, is still in command of the Fire and Police departments. Even if merchants agree to meet the demands of Negroes for desegregation of lunch counters and other facilities, he has pledged to enforce the city's segregation ordinances.

The rioting broke out at about 4:45 P.M. Central Standard time, when Negroes jammed long sidewalks on the south side of the Kelly Ingram Park, began hitting stores at the postmen's office.

#### Orders Use of Hoses

Commissioner Connor gave the order to turn the hoses on them. For almost an hour, a saw struggle was waged around the park and in side streets and alleys.

The rioters were driven back at one point, only to appear again at another point to rain down on the authorities. A deputy sheriff was struck by a stone opposite the 16th Street Baptist Church, the departure point for the demonstrations. He was carried to a hospital in a police cruiser.

A monitor, an extremely high-pressure fire nozzle fed by two two-and-a-half-inch hoses, skidded out of control on its tripod mount opposite the church and struck two policemen. One suffered rib fractures and the other a leg injury.

Mr. Shuttleworth, head of the Alabama Christian Movement for Human Rights, who also serves as pastor of a church in Cincinnati, Ohio, was struck by a stream of water and was hurled against the side of the church. He was carried inside and was later removed in a

troops armed with nightsticks charged behind a row of telephones opposite the church, confiscated a pile of stones and drove off the rioters who had been throwing them. Five German shepherds, trained as police dogs, were



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...the ...  
...the ...  
...the ...

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Mr. Shuttlesworth, head of the Alabama Christian Movement for Human Rights, who also serves as pastor of a church in Cincinnati, Ohio, was struck by a stream of water and was hurled against the side of the church. He was carried inside, and was later removed in a stretcher to an ambulance, which drove him to the Holy Family Hospital. Doctors said he had suffered chest injuries but was not hurt seriously.

Commissioner Connor, who arrived after the minister was driven away, said "I waited a week to see Shuttlesworth get hit with a hose. I'm sorry I missed it."

#### "Just Started to Fight"

A newsman noted that Mr. Shuttlesworth had been carried away in an ambulance.

"I wish they'd carried him away in a hearse," commented the commissioner.

Mr. Connor pointed out that several policemen had been injured and said, "We've just started to fight, if that's what they want. We were trying to be nice to them but they won't let us be nice."

The armored car, a six-wheeled vehicle with gun ports, moved backward and forward along 16th Street, forcing Negroes onto the curb. Warnings to disperse were sounded repeatedly from loud-speakers atop the car.

The stream from one fire hose kicked a man up and flipped him over, then sent him skittering along the grass in the park. Gutters along the southern edge of the elm-shaded square were overflowing.

#### Large Crowd to Leave

Hundreds of whites massed along 14th Street to the east but made no effort to break through the police lines, thrown up at intersections to seal off the area.

Shortly after 3 P. M., Mr. Shuttlesworth marched into the park at the southern edge of the square, many of them children. As they turned north, a monitor nozzle opened up and drove them all to cover.

Two Negro leaders, accompanied by Capt. George Wall of the police, walked along 16th Street for two blocks urging the crowd to go home. There were little apparent efforts to disperse.

A few minutes later, 15 pa-

Continued on Page 28, Column 1  
arrived here after the situation  
of the Alabama National Guard  
Brig. Gen. Henry A. Graham  
controlling riots

troopers armed with nightsticks for five weeks. (The situation has been this South.)  
dove off the rioters who had been throwing them.

Five German shepherd dogs, trained as police dogs, were brought up but were not used. They had been in Birmingham since the riot.

#### Fund Drive Opens Here

A campaign to enlist financial and moral support for the Birmingham civil rights drive was started here yesterday.

The movement, known as Back Our Brothers, is led by Rev. N. Marder of Yonkers, head of an encyclopedia sales company, and Jackie Robinson, former Brooklyn Dodgers baseball player. Mr. Marder told a news conference at Sardi's, 231 West 41st Street, that the movement's first public function would be a \$100-a-plate dinner at the Park Sheraton Hotel on June 18.

Mr. Robinson said he had sent a telegram to President Kennedy declaring that "the revolution that is taking place in this country cannot be squelched by police dogs or high power hoses."

A. Philip Randolph, president of the Negro American Council, termed the actions against Negroes in Birmingham "treacherous barbarism."

State Attorney General Louis J. LeFevre said the events there were "a terrible outrage."

An undetermined number of persons were injured in the demonstrations against segregation. They included the Rev. Fred L. Shuttlesworth, a prominent Negro leader, and two city policemen and a Jefferson County deputy sheriff.

NEW YORK TIMES

RIOTING NEGROES  
ROUTED BY POLICE  
AT BIRMINGHAM  
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By CLAUDE NITON  
BIRMINGHAM, Ala., May 1  
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quell the riot.

## Foving Negroes Demand Integration in Birmingham



Shouting Negroes form one of the groups that demonstrated yesterday in city in Alabama

## Kennedy Voices His Hope In People of Birmingham

By JOHN D. POWER

WASHINGTON, May 11 (AP) — President Kennedy today expressed his hope that the people of Birmingham would help him in his fight against racial discrimination.

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**BEFORE VIOLENCE BEGAN:** A police riot car, converted military vehicle, standing yesterday in Birmingham, Ala., as Negro demonstrators streamed toward downtown area.

## President Is Placing His Hopes In the People of Birmingham

Continued From Page 1. Col. S pointed up sharply today by a deputy chairman of the Democratic National Committee. No firm decisions were reached, but a number of alternatives were passed on to the President.

The discussion ranged over a wide range of possibilities, including action by the Justice Department, persuasion by the labor secretary, and suggestions made in a number of the hundreds of telegrams that have poured in.

Burke Marshall, assistant attorney general in charge of the Justice Department's Civil Rights Division, kept Robert Kennedy posted on events in Birmingham. Mr. Marshall is in Birmingham to try to persuade white and Negro leaders to compose their differences.

Officials here were convinced that neither the Negro leaders nor Birmingham officials want violence, but they feared the Negro worker a major danger here was a real risk of stumbling into it.

There is a strong possibility that the President will make a statement about the burning situation at his news conference tomorrow afternoon, but officials indicated that plans might change, depending on what happened overnight.

The developments in burning Negro and white workers have posed political problems for the Administration as well as potential violence.

The concern of the Democrats over the effect of the events in Birmingham on Alabama voters is somewhat mitigated because they feel the state may be lost against Kennedy in 1964. A major showdown has been unable to open up new between the Federal Government and the state over integrating workers in important sectors of the University of Alabama's economy.

Montgomery center is in the risk. He said that discriminatory practices of state employment body received a majority of the popular vote, 6 unpicked the Federal Government, had a total of 11 votes posed a serious problem for Senator Harry F. Byrd the Negroes. Mr. Hill also charged that retraining programs under the Federal Manpower Development and Training Act were being used to segregate and Federal funds for vocational education given to the South as a segregated school. The Labor Department's Bureau of Apprenticeship and Training of numbers in the South apprenticeship plans. Mr. Hill growing Negro patience and said.

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### Alabama Bears Down

In fairness to the Alabama authorities, due note should be taken of the fact that there has been no dragging of feet in their investigation of the murder last week of William L. Moore, a crusader for equal rights.

Mr. Moore, a white Baltimore mailman, had formerly lived in Mississippi. He was shot to death last Tuesday as he trudged along an Alabama highway to carry a well-intentioned message of tolerance to the people of his old home State. He wasn't asking much—just a fair deal for all people. And although he knew he was taking a risk, he declined an offer of a ride from Alabama troopers. Presumably, he thought his effort might be more effective if he walked.

Near the Alabama town of Attalla, an assassin shot him to death. The Alabama authorities moved quickly and decisively. The Governor, though a staunch segregationist, denounced the killing as a "dastardly act" and offered a \$1,000 reward for information which would lead to the arrest and conviction of the murderer. Now, after an intensive investigation, Sheriff Colvard of Etowah County has arrested a 40-year-old rural storekeeper on a warrant which charges that he "unlawfully and with malice aforethought" killed William L. Moore.

This, of course, does nothing for William Moore or his personal crusade. There will be others, however, to pick up and carry his torch. But it does do something for the Nation's respect for Alabama justice. And this respect will rise still higher if an Alabama jury, always assuming the sufficiency of the evidence, should convict the benighted killer of this well-meaning inoffensive crusader for the rights of men.



A policeman pins a Negro demonstrator by the hand assistance during yesterday down on the street as a fireman stands racial protest marches in Birmingham

ALABAMA—From Page A1

## Governor Adds Police To Birmingham Force

GOVERNOR WALLACE today announced that he had ordered the addition of 100 more police to the Birmingham force to help maintain order during the racial protest marches.

Since the beginning of the demonstrations, the city has been in a state of tension. The governor said that the additional police were needed to protect the lives and property of all citizens.

The governor also announced that he had ordered the addition of 100 more police to the Birmingham force to help maintain order during the racial protest marches. He said that the additional police were needed to protect the lives and property of all citizens.

With responsible local Negroes to try and work out job opportunities and a solution to all the problems.

### Negroes' Objectives

Dr. King said early today that the Negroes wanted better job opportunities, desegregation of all downtown public facilities, formation of a bi-racial committee to solve racial problems, and the dismissal of charges against the approximately 2500 arrested demonstrators.

Gov. Wallace sent the high school patrol into Alabama today to help maintain order during the racial protest marches. He said that the additional police were needed to protect the lives and property of all citizens.

In a speech to the State Legislature, the governor warned that he would prosecute the demonstrators for murder if the desegregation issue resulted in any deaths. "I am beginning to tire of haters, integrationists and others who seek to destroy the law and order in Alabama," Wallace said.

### Fear More Trouble

Sheriff Melvin Bailey told the Associated Press he was not worried because the situation could easily get out of hand. "Real trouble could come if demonstrations such as today's occurred when tough white elements are downtown," Bailey said.

There were few arrests during the demonstrations, although police used fire hoses and nightsticks to break up the waves of Negro marchers. An unofficial count put the number arrested at about 2500. City officials, however, charged that the from Monday when almost 1000 were arrested.

The through, mostly bystanders and some who broke playing youngsters, was swelled by some 1000 by the demonstrators' hooligans, many of them adults.

The crowd broke through the police lines and headed for the downtown shopping district, some of them screaming, "We want to go to jail" and "We want freedom."

Six of the leaders of the demonstrators, carrying walkie-talkies, directed the marchers back to the church after police were overwhelmed by their numbers.

Two hours later, the crowd water broke from the large department store and some demonstrators reached it for a brief sit-in at a lunch counter.

### Police Use Hoses

As the demonstrators returned to the 16th section, police ordered fire hoses turned on. The water drove the crowd across a park and many youngsters danced and shouted and screamed in the spray.

When the happened, a few shoulder

peared to be returning the demonstrators' hooligans, many of them adults.

A white turret riot moved into the area and about 100 policemen with clubs drawn rushed across park and forced many Negroes to move back.

### Minister Is Told

During this effort, the worth was called back by a direct line one of the demonstrators and led off to the church.

The last incident, a young woman who fell out prone under the waves of water near the church, two other demonstrators were injured.

Two policemen were injured when a sprayer to which a hose was swung out of control hospitalized with a bruise. A deputy fireman also taken from the after a rock struck his

..... **CLAWSON**

# Birmingham Freed

## 250 More Sent in by Governor

12 Persons Hurt  
As 3000 Negroes  
Renew Marches

By Wallace Terry  
Staff Writer

BIRMINGHAM, Ala., May 7—An estimated 3000

Negroes swept through downtown Birmingham in two waves today in the most violent incidents in the desegregation demonstrations. By the day's end, Alabama Gov. George C. Wallace had ordered 250 highway patrolmen into the city to keep order.

At least 12 persons were injured, none seriously, although a leader of the demonstrators and a policeman were hurt.

Late today, the Rev. Dr.

Birmingham city jail so jammed with demonstrators it takes more than four hours to serve breakfast.

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Homes of Alabama senators picketed here.

Page A7.

Martin Luther King, leader of the demonstrations, and the Rev. Fred Shuttlesworth, the No. 2 man, vowed no letup in the marches. They said that the small number of arrests today showed "clearly that we have succeeded in filling the jails in Birmingham."

Shortly after noon, the full force of the demonstrators filed out of the church, only to be contained by police with in a block area. They returned to the church, whipped into a frenzy by the younger members of Dr. King's staff. The marchers burst pell-mell out of the church and across the

There they picked up picket signs and headed for a half-dozen stores. But squad cars and police officers and marchers seized the signs and herded the marchers into alleys.

At 11 a. m., students who had expressed willingness to go to jail were sent from the church in small numbers as a diversionary force. They scattered throughout the city.

Negro strategists had adopted a complex plan today in the hope of deceiving the police so that demonstrators might be able to march to City Hall. In past days, police had arrested the marchers a block from their meeting point.

Among those under arrest were two reporters for Life magazine. Police said they crossed into a restricted area around the 16th Street Baptist Church, central meeting place for today's protest.

When almost 1000 were arrested, city officials about 30 numbers arrested at about 30. An unofficial count put the waves of Negro marchers and nightsticks to break up though police used fire hoses.

There were few arrests during the demonstrations, although police used fire hoses and nightsticks to break up the waves of Negro marchers.

Some if demonstrators such as today's occurred when tough while elements are down town, Bailey said. They were few arrests during the demonstrations, although police used fire hoses and nightsticks to break up the waves of Negro marchers.

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Pressure on Him to Act Mounts

# JFK Hopeful on Racial Settlement

By Carroll Kilpatrick  
Staff Reporter

President Kennedy last night expressed the hope that the people of Birmingham could settle the racial disturbances that have rocked that industrial city in recent days.

The President's first comment on the explosive Alabama developments was relayed through White House associate press secretary Andrew T. Hatcher, who earlier in the day had said the President was "preoccupied" with the Birmingham situation.

"The President continues to hope that this situation can be resolved by the people of Birmingham themselves," Hatcher said. "This, of course, would be the ideal solution."

The comment came at 7:30 p. m. after a day of feverish activity at the White House and Justice Department in an attempt to end the violence in Birmingham by behind-the-scenes negotiations.

As the situation grew more serious, there was mounting pressure for the President to intervene. He is expected to make his first formal comment on the disturbances during his news conference at 4 p. m. today.

Attorney General Robert F. Kennedy was reported in almost constant touch with the President and also with

two aides in Birmingham, Assistant Attorney General Burke Marshall and Assistant Deputy Attorney General Joseph F. Dolan.

They were sent to Birmingham last Saturday after the Attorney General called on business, labor and civic leaders in the Alabama industrial center to help prevent violence.

## Meets With Leaders

Marshall was reported to have met until 4 a. m. yesterday with Birmingham leaders in an attempt to resolve the situation. He met with leaders much of yesterday and into last night, at least one of the meetings was a joint one, with white and colored leaders participating.

The Birmingham News, Alabama's largest daily, yesterday asked the President to use "the influence of your office to end this open violation and provocation."

Its plea was contained in a telegram to the President, which it printed as an editorial on its front page over the signature of Publisher Clarence B. Hanson Jr.

Hanson said the demonstrations led by Negro leaders were launched by "an organization which seems deliberately intent, having created open segregation demonstrations in Birmingham last

He said that the Attorney General had called the demonstration "all-out," and added that "respect for law is assuredly damaged when Negroes seem with relative impunity to be able to foster open law defiance."

The News promised that "responsible whites of Birmingham understand that they shall, themselves, take action to redress complaints of Negroes."

"If there is to be order, and respect for law and proper procedure through the courts as well as sincere white effort to meet this problem cooperatively, you, sir, must be the one to bring it," the telegram to the President said. "Those who cause these demonstrations have limited everyone else."

Hatcher said the telegram had been received and was under close study "by aides to the President." Hatcher said the President knew the telegram had been received.

## Robinson to Participate

"The President continues to keep close surveillance on the Birmingham situation," Hatcher said.

In New York, former Brooklyn Dodger baseball star Robinson said he would travel to Birmingham to help settle the segregation demonstrations in Birmingham next

week, and the New York branch of the National Association for the Advancement of Colored People held a rally at City Hall Park in support of the Alabama Negro demonstrators.

Robinson sent the President a telegram, which said in part: "It is my sincere belief that your personal intentions are honorable. However, the pace at which our country is moving toward equality for all peoples is miserably slow, as being demonstrated in Birmingham, Ala."

"Moderation and gradualism as far as civil rights are concerned, are antique words, to say the least. The revolution that is taking place in this country cannot be squelched by police dogs or high-powered hoses."

President Kennedy was said to be aware of mounting pressure on him to act, but it was explained that his powers in this situation are extremely limited and that he wanted to make certain anything he might do would be helpful.

If he should make a statement that failed to bring results, the situation could become worse, it was argued.

Justice Department officials said there is no legal ground for Federal intervention in Birmingham. No Federal law has been violated, and there is no Federal court order to be enforced in Birmingham.

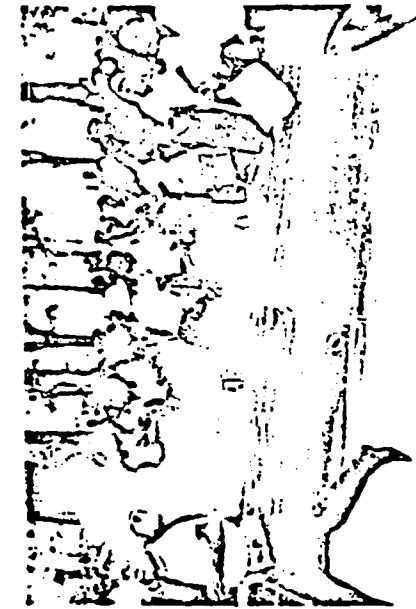
Federal marshals and troops were sent to Oxford, Miss., last year to enforce court orders that Negro Jan. 11 Meredith be admitted as a student at the University of Mississippi.

Federal officials intervened in the Freedom Riders riots in Montgomery, Ala., in 1961 when they concluded that local law enforcement officers were incapable of maintaining peace in interstate transportation.

The Birmingham demonstrations began as a move to desegregate lunch counters.

A-6 *Washington Post-Times Herald*, May 6, 1968

## Meal Is 4-Hour Affair in Jammed Birmingham Jail



Negro anti-segregation demonstrators eat  
buns and hold across the street as a police  
man attempts to restrain one during the  
massive Birmingham protests yesterday.

By Paul Phillips

BIRMINGHAM, May 7 (UPI)—Birmingham's city jail was so jammed with Negro racial demonstrators today it took more than four hours to serve breakfast — grits and gravy, apple sauce and bacon.

More than 2000 have been arrested since the demonstrations began April 3. The jail, which normally holds about 600, overflowed into the other jails and temporary quarters at the State Fair grounds.

City and county officials said the Negroes arrested during the anti-segregation protests were being fed and housed "as well as better than most of them have at home."

Robert Austin, chief city jailer, said a number of Negroes were late getting fed last night because of the huge influx of prisoners yesterday.

The jail ran out of food and had to provide a slim diet for breakfast this morning.

About 1000 prisoners, 400 men and 600 women, are in the jail. They are in shifts.

In the southside jail, men are kept on the first floor and women on the third floor.

When conditions got crowded officers put some of the men in the pit, a three-story high room with concrete floors where drunk, unruly prisoners sleep.

The prisoners sleep on the floor almost shoulder to shoulder.

All teenage prisoners making up the biggest bulk of those arrested are processed at the city jail and then turned over to county authorities for

a trip to one of two juvenile parently. These facilities are lockups at the county jail, for boys those normally used by Tuscaloosa and at the city jail for girls.

The 2000 are getting the building resembling a school built out of the burgom, as dormitories.



## Issues Call for Nationwide Protest of Alabama Strike

The National Association for the Advancement of Colored People issued a call last night for nationwide demonstrations against the actions of Birmingham, Ala., authorities against anti-segregation demonstrators there.

While local leaders were given the choice of day and hour for the beginning of the mass demonstrations, N. A. A. P. headquarters spokesmen said most would get under way at noon Saturday.

Mr. Atkins directed that the demonstrations be staged "around city hall and state houses" and that they "utilize peaceful sympathy picketing to inform local communities of the outrage of your citizens over barbarity in Alabama."

All local chapters of the organization were urged to appeal to President Kennedy to inter-

## All-Night Vigil Here

All citizens "who believe in decency and fair play" were urged to write or telegraph their support of the Negro citizens of Birmingham in their desegregation drive.

The organization also reiterated a demand that all Federal grants and other aid "which indirectly help feed the dogs" be cut off to have the picture of the planned in all five of the New and buy the houses. Such are mass arrests and brutality in New York borough.